

July 12, 2010

Senator Lindsey Graham  
290 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Graham,

You asked me to send a letter to you following up on our conversation about Miguel Estrada. I am delighted to do so.

During my hearings, you asked me whether Miguel was qualified to serve as an appellate court judge. I answered that he was, and that he also was qualified to serve as a Supreme Court Justice. Indeed, more should be said. In my judgment, Miguel would be absolutely superlative in either role.

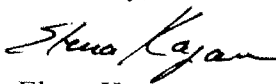
As Miguel describes in his letter to Senators Leahy and Sessions supporting my nomination, Miguel and I have known each other for almost three decades. I spent a great deal of time with Miguel in law school and as a clerk on the Supreme Court. I have kept up with his quite brilliant career since that time. When I became Dean of Harvard Law School, I asked him to serve on the Law School's "visiting committee," which is an advisory body made up of some of the school's most distinguished alumni. And I have dealt with Miguel on several sensitive litigation matters during my time as Solicitor General.

Miguel is an extraordinary lawyer—deeply knowledgeable about all aspects of our legal system and thoroughly responsible in his legal judgments. He has a towering intellect and a prodigious capacity for hard work. He is thoughtful and reflective, subjecting his own beliefs and intuitions, no less than those of others, to the full force of his analytic talents. And underneath a sometimes gruff exterior, he has the proverbial heart of gold: no one I know is a more faithful friend or a more fundamentally decent person.

I have sincere respect for the challenge facing Senators as they discharge their advice and consent responsibility under the United States Constitution, and I know Senators had a genuine disagreement about Miguel's nomination. But I personally have no doubt that what Miguel so generously said about me applies just as well to him – that his great intellect, high accomplishments, and upright character would make him an excellent addition to any federal court.

Thank you, Senator Graham, for providing me with an opportunity to express these thoughts.

Sincerely,

A handwritten signature in black ink, appearing to read "Elena Kagan", written in a cursive, flowing style.

Elena Kagan